

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** Chair Dee Brown, on February 1, 2017 at 3:00 PM, in Room 335 Capitol

#### **ROLL CALL**

##### **Members Present:**

Sen. Dee Brown, Chair (R)  
Sen. Douglas (Doug) Kary, Vice Chair (R)  
Sen. Sue Malek (D)  
Sen. Ryan Osmundson (R)  
Sen. Frank Smith (D)  
Sen. Nels Swandal (R)  
Sen. Gordon Vance (R)  
Sen. Lea Whitford (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Barbara Pietuch, Committee Secretary  
Rachel Weiss, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 102, 1/24/2017; HB 159, 1/24/2017; SB 23, 1/24/2017; SB 143, 1/26/2017

Executive Action: SB140 - DO PASS, SB 121 - DO PASS, SB 136 - BE TABLED, HB 67 - BE CONCURRED IN, HB 68 - BE CONCURRED IN

Other Business: Presentation by Teachers' Retirement System

00:00:02 Chair Brown

**HEARING ON SB 143**

**Opening Statement by Sponsor:**

00:01:48 Sen. Mike Lang (R), SD 17, opened the hearing on SB 143, Revise retiree return to work provisions in the teachers' retirement system.

**Proponents' Testimony:**

00:04:42 Kris Kuehn, superintendent, Malta Public Schools

00:07:48 Bob Vogel, director of government relations, Montana School Boards Association (MSBA)

00:10:27 Wade Johnson, superintendent, Cut Bank Public Schools (CBPS)

00:12:13 Pat Audet, associate director, School Administrators of Montana

[EXHIBIT](#)(sts23a01)

00:14:37 Roger Hagan, lobbyist, Northeast Rural Schools

**Opponents' Testimony:**

00:15:38 Chair Brown left the meeting. The Chair turned over to Sen. Kary.

00:15:43 Shawn Graham, executive director, Teachers' Retirement System (TRS)

[EXHIBIT](#)(sts23a02)

00:20:43 Diane Fladmo, director, Research & Bargaining; coordinator, Retired Program, Montana Education Association - Montana Federation of teachers (MEA-MFT)

00:23:41 Chair Brown entered the meeting and resumed as Chair.

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:24:54 Sen. Kary

00:25:18 Mr. Vogel, MSBA

00:26:18 Sen. Kary

00:26:30 Mr. Vogel

00:26:56 Sen. Kary

00:26:59 Sen. Malek

00:27:16 Ms. Fladmo, MEA-MFT

00:27:39 Sen. Malek

00:27:47 Ms. Fladmo

00:28:29 Chair Brown

00:28:57 Mr. Graham, TRS

00:31:38 Chair Brown

00:31:58 Mr. Graham

00:32:36 Chair Brown

00:32:42 Mr. Graham  
00:32:57 Chair Brown  
00:33:02 Sen. Swandal  
00:33:26 Mr. Johnson, CBPS  
00:33:37 Chair Brown

**Closing by Sponsor:**

00:33:46 Sen. Lang

**HEARING ON SB 23**

**Opening Statement by Sponsor:**

00:34:47 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 23, Allow in-house counsel to be deputy commissioner of political practices.

**Proponents' Testimony:**

00:36:17 Jonathon Motl, commissioner, Commissioner of Political Practices (COPP)  
[EXHIBIT\(sts23a03\)](#)

00:37:53 Sen. Smith entered the meeting.

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:39:30 Sen. Swandal  
00:39:50 Mr. Motl, COPP  
00:40:32 Sen. Swandal  
00:41:05 Mr. Motl  
00:42:19 Sen. Kary  
00:42:35 Mr. Motl  
00:42:56 Chair Brown  
00:43:15 Mr. Motl  
00:43:47 Chair Brown  
00:43:55 Sen. Osmundson  
00:44:48 Mr. Motl  
00:45:33 Sen. Osmundson  
00:45:43 Mr. Motl

**Closing by Sponsor:**

00:46:20 Sen. Fitzpatrick

**Presentation: Re-employment of TRS Retirees**

00:47:17 Shawn Graham, executive director, Teachers' Retirement System (TRS)  
**EXHIBIT**(sts23a04)

**Committee Questions and Discussion**

00:50:20 Chair Brown  
00:51:31 Mr. Graham, TRS  
00:52:08 Sen. Swandal

00:52:16 Chair Brown left the meeting. The Chair turned over to Sen. Kary.

00:53:09 Sen. Whitford left the meeting.

00:52:56 Mr. Graham  
00:54:04 Sen. Malek  
00:54:29 Mr. Graham  
00:55:04 Sen. Malek  
00:56:52 Mr. Graham  
00:58:18 Chairman Kary

**HEARING ON HB 102**

**Opening Statement by Sponsor:**

00:58:44 Rep. Jessica Karjala (D), HD 48, opened the hearing on HB 102, Extend bond  
validating act.  
**EXHIBIT**(sts23a05)

**Proponents' Testimony:**

01:02:28 Mark Bruno, bureau chief, Office of Finance and Budget, Department of  
Administration

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

01:05:49 Rep. Karjala

**HEARING ON HB 159**

**Opening Statement by Sponsor:**

01:06:30 Rep. Rob Cook (R), HD 18, opened the hearing on HB 159, Designate Shelby veterans' memorial.

**Proponents' Testimony:**

01:07:56 Anna Olsonoski, self, graduate student, case manager, Missoula County  
01:08:43 Samantha Arcand, self, Walla Walla, Washington  
01:09:19 Tom McCracken, self, United States Navy Veteran and United States Army Veteran  
01:09:53 Kayla Grussling, self, graduate student, Missoula  
01:10:32 Roger Hagan, lobbyist, Montana National Guard Association; vice chair, National Legislative Council for the American Legion

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:11:59 Sen. Swandal  
01:12:18 Mr. McCracken, self  
01:12:26 Chairman Kary  
01:12:48 Rep. Cook  
01:13:32 Chairman Kary

**Closing by Sponsor:**

01:13:42 Rep. Cook  
01:14:23 Recess  
01:14:30 Sen. Osmundson left the meeting.  
01:35:35 Reconvene

**EXECUTIVE ACTION ON SB 121**

01:35:48 **Motion/Vote:** Sen. Malek moved that **SB 121 DO PASS**. Motion carried unanimously by voice vote. Sen. Brown, Sen. Osmundson and Sen. Whitford voted by proxy.

**EXECUTIVE ACTION ON SB 136**

01:36:47 **Motion:** Sen. Malek moved that **SB 136 DO PASS**.

01:37:25 **Motion:** Sen. Malek moved that **SB 136 BE AMENDED.**  
[EXHIBIT](#)(sts23a06)

**Discussion:**

01:37:38 Rachel Weiss, research analyst, Legislative Services Division  
 01:38:07 Sen. Vance

01:38:17 **Vote:** Motion carried unanimously by voice vote. Sen. Brown, Sen. Osmundson and Sen. Whitford voted by proxy.

01:38:37 **Motion/Vote:** Sen. Malek moved that **SB 136 DO PASS AS AMENDED.** Motion failed 3-5 by roll call vote with Sen. Malek, Sen. F. Smith and Sen. Whitford voting aye. Sen. Brown, Sen. Osmundson and Sen. Whitford voted by proxy.

01:40:51 **Motion/Vote:** Sen. Malek moved that **SB 136 BE TABLED.** Motion carried unanimously by voice vote. Sen. Brown, Sen. Osmundson and Sen. Whitford voted by proxy.

**EXECUTIVE ACTION ON SB 140**

01:41:20 **Motion:** Sen. Malek moved that **SB 140 DO PASS.**

**Discussion:**

01:41:35 Sen. Malek

01:42:28 **Vote:** Motion carried unanimously by voice vote. Sen. Brown, Sen. Osmundson and Sen. Whitford voted by proxy.

**EXECUTIVE ACTION ON HB 67**

01:43:02 **Motion:** Sen. Malek moved that **HB 67 BE CONCURRED IN.**

**Discussion:**

01:43:26 Sen. Swandal

01:43:36 **Vote:** Motion carried 6-2 by voice vote with Sen. Osmundson and Sen. Vance voting no. Sen. Brown, Sen. Osmundson and Sen. Whitford voted by proxy. Sen. Whitford will carry the bill.

**EXECUTIVE ACTION ON HB 68**

01:44:41 **Motion/Vote:** Sen. Malek moved that **HB 68 BE CONCURRED IN.** Motion carried unanimously by voice vote. Sen. Brown, Sen. Osmundson and Sen. Whitford voted by proxy. Sen. Malek will carry the bill.

01:45:30 Chairman Kary

**ADJOURNMENT**

Adjournment: 4:46 PM

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Barbara Pietuch, Secretary

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Additional Documents:

**EXHIBIT**([sts23aad.pdf](#))